

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 EURE-00 CIAE-00 PM-04 INR-07 L-03

ACDA-07 NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06

TRSE-00 SAJ-01 DODE-00 H-02 NSC-05 /080 W

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P R 151504Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0444

USMISSION USBERLIN

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY BERLIN

USMISSION GENEVA

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

C O N F I D E N T I A L BONN 11947

E.O. 11652: GDS

TAGS: PGOV PFOR PARM CCD GW WB US UK FR UR

SUBJECT: EXTENSION TO BERLIN OF ENMOD

CONVENTION -- DEPOSITORY PROCEDURE

REF: BONN 5627 NOTAL

SUMMARY: FRG ASKS ALLIED VIEWS ON POSSIBLE CHANGE IN
DEPOSITORY PROCEDURE OF DEMILITARIZATION CONVENTIONS.
QUESTION HAS ALSO ARISEN AS TO EXTENSION TO BERLIN OF
CCD RESULTS. END SUMMARY.

1. FRG REPS ASKED ALLIES IN JULY 13 BONN GROUP MEETING
FOR REACTIONS TO A POSSIBLE CHANGE IN DEPOSITORY PRO-
CEDURE FOR DISARMAMENT CONVENTIONS. UP TO NOW, THE US,
UK, AND USSR HAVE BEEN DEPOSITORIES, WHICH PERHAPS HAS
CERTAIN ADVANTAGES BECAUSE OF FRG BERLIN DECLARATIONS.
THE AUSTRALIANS, HOWEVER, HAVE PROPOSED THAT THE
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UN SECGEN BE DESIGNATED AS THE SOLE DEPOSITORY FOR

DISARMAMENT CONVENTIONS, BEGINNING WITH ENMOD. SINCE BONN DOUBTS THAT THE UN SECGEN WOULD REJECT AN FRG DEPOSIT CONTAINING A BERLIN CLAUSE, THE FRG IS READY TO ACCEPT THE AUSTRALIAN SUGGESTION. THE QUESTION IS FAIRLY URGENT SINCE A DECISION MAY BE TAKEN IN CCD AS EARLY AS WEEK OF JULY 19.

2. THE ALLIED REPS SAID THEY WERE NOT IN A POSITION TO JUDGE THE MATTER BUT WOULD CHECK WITH THEIR AUTHORITIES.

3. FRENCH REP (BOISSIEU) SAID FRG QUESTION RAISED TWO ADDITIONAL ONES IN HIS MIND. FIRST, HOW DOES THE FRG INTEND TO TREAT CCD RESULTS RE BERLIN, AND SECOND, TO WHAT EXTENT DOES THE FRG REPRESENT BERLIN IN THE CCD WHICH IS, AFTER ALL, A CONFERENCE ON SECURITY.

4. FRG REPS RESPONDED TO BOTH QUESTIONS THAT SECURITY AND STATUS WERE THE ONLY LIMITATIONS, JUST AS THEY WERE AT CSCE.

5. COMMENT: THERE IS OBVIOUSLY A PRESENTATIONAL PROBLEM INVOLVED SINCE CCD DESIGNATION DOES NOT INCLUDE NON-DEFENSE APPELLATION AS DID CSCE. HOWEVER, IT SEEMS TO US THAT MATTER IS SIMPLER THAN IT SEEMS. WE BELIEVE THE FRG REPRESENTS BERLIN IN CCD TO THE EXTENT THAT CCD RESULTS MAY BE APPLIED IN BERLIN VIA THE FRG. WE NOTE THAT ENMOD ARTICLE III, FOR EXAMPLE, CONTAINS PROVISIONS ON PEACEFUL USE AND IT MAY BE THAT THESE PROVISIONS ARE SUITABLE FOR EXTENSION TO BERLIN. WE DO NOT WANT TO GET AHEAD OF OURSELVES, HOWEVER, AND BELIEVE THE MATTER SHOULD BE STUDIED BY THOSE NORMALLY RESPONSIBLE, THE LEGAL COMMITTEE IN BERLIN.

6. ACTION REQUESTED:

-- A) BERLIN LEGAL COMMITTEE STUDY THE QUESTION POSED ABOVE; AND

-- B) DEPARTMENT PROVIDE GUIDANCE ON DEPOSITORY QUESTION. FROM THE BERLIN POINT OF VIEW, WE SEE LITTLE

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DIFFERENCE SINCE SOVIET COMPLAINTS ARE CIRCULARIZED IN ANY EVENT. THE ONLY SLIGHT ADVANTAGE TO CONTINUING THE PRESENT SYSTEM IS THAT, SINCE SOVIET COMPLAINTS ON BERLIN CLAUSES ARE MADE TO THE US AND UK AS DEPOSITORIES, THE ALLIES HAVE NOTICE OF THE COMPLAINTS AND TIME TO PREPARE RESPONSES IN ADVANCE OF GENERAL CIRCULARIZATION.

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